

## STRIKE VOTE IN PROGRESS AMONG CLERKS ON C. & O.

Clerical Employees Seek to Force Recognition of Brotherhood.

## WANT REGULATION OF WORKING HOURS

Strike Bulletin Charges Road With Systematic Effort to Disrupt Brotherhood by Summary and Unmerited Dismissal of Its Members.

Thwarted in their efforts to secure an adjustment of alleged grievances because of the flat refusal of management to give a hearing to their committee, the clerical employees of the Chesapeake and Ohio Railway, responding to an appeal sent out by the general board of adjustment of the Brotherhood of Railway Clerks, are balloting on a strike vote.

The movement, according to J. F. Riley, vice president of the brotherhood, who heads the committee of nine that began two weeks ago its unsuccessful campaign to secure a hearing from the railway officials, affects about 1,500 Chesapeake and Ohio employees. The men are employed in every department, and embrace 50 per cent of all employees whose duties are of a clerical nature.

The strike vote closes at 10 o'clock next Saturday morning, when Vice Grand President Riley, who is in the city, will designate a disinterested committee of judges to canvass the ballots. If 60 per cent of the membership votes for a strike, a general walk-out of all Chesapeake and Ohio clerical employees will be ordered by the national organization.

Statement by Johnson, of the Chesapeake and Ohio Railway, last night authorized the following statement:

"Efforts have been made by a committee for the past two days to secure a conference, but the officers of the Chesapeake and Ohio have declined to recognize the Brotherhood of Railway Clerks as an organization. We do not entertain any trouble from clerks in the employ of the Chesapeake and Ohio Railway."

Discussing the strike vote now in progress, Mr. Riley last night said: "The clerical employees of the Chesapeake and Ohio are just as anxious as the road is to avoid trouble. Their relations with the road have until recently been extremely cordial. Through their committee they have sought to obtain the same degree of recognition that is granted to employees of the other departments, but in this they have so far completely failed. The strike vote is their last resource, and, much as they will regret to do so, they will be forced to join in it if the required 60 per cent of the membership register in its favor."

**Want Recognition.** The chief grievance of the clerks, according to Mr. Riley, is that they, of all the road's employees, are the only ones that are denied the privilege of submitting their general claims and grievances to the managing officers. In all cases of differences between the employees, it is claimed, are referred to agents and division superintendents for an adjustment of their claims.

An attempt was made by the general committee to secure an interview with General Manager Johnson on August 11. The committee was composed of Vice-Grand President Riley, of Kansas City; General Chairman D. H. Henderson, of Cincinnati; J. J. Schmauch, of Ashland, Ky.; O. H. Purcell, of Huntington, W. Va.; F. H. Whitlow, of Charleston, W. Va.; G. I. Gillespie, of Montgomery, W. Va.; A. E. Pierson, of New York, W. Va.; J. C. Casey, of Clifton Forge, and J. H. Leath, of Newport News.

In answer to the committee's request for a conference, General Manager Johnson replied that it is not the practice of the company to have conferences with committees representing clerical employees. Further overtures of a like nature met with no better success.

**Appeal to Stevens.** Failing in its effort to secure an interview with the general manager, the committee addressed President Stevens, receiving from him a reply in which he stated that "a committee of employees of the company will have no influence in discussing with Mr. Johnson any grievances that may have arisen. On the strength of this the committee applied again to Mr. Johnson, but without success. Later the committee received a letter from President Stevens stating that in a conference with Mr. Johnson it developed that the object of the meeting sought was for the purpose of discussing grievances that should be taken up with the division superintendents.

Immediate object sought by the committee, said Mr. Riley, was to obtain an adjustment of working hours. Under the present system, he said, clerks are required often to work twelve and fifteen hours a day without a moment's rest.

**Charge Abuses.** In connection with the matter of hours is the question of recognizing the brotherhood. The charge is made that the road has recently discharged from its employ at Cincinnati and Huntington several prominent members of the organization without apparent cause. The circumstances surrounding these dismissals, it is charged, support the belief that the men were discharged because of their affiliation with the Brotherhood of Railway Clerks. The bulletin accompanying the strike vote charges the company with a systematic effort to disrupt the organization.

The enrollment of Chesapeake and Ohio clerical employees in the Brotherhood of Railway Clerks, said Mr. Riley, began about eight months ago. About 90 per cent of all eligible men, he said, have enrolled, and the organization is strongly entrenched on all

## FRANK DECLARED GUILTY OF MURDER IN FIRST DEGREE

Shows No Signs of Emotion When Told of Verdict.

## WIFE COLLAPSES ON HEARING NEWS

Report of Jury's Finding Causes Noisy Demonstration by Crowd of 2,000 Gathered in Front of Courthouse—Judge Delays Sentence of Mary Phagan's Slayer.

Atlanta, August 25.—Leo M. Frank showed no visible signs of emotion early to-night when he was informed that he had been found guilty of the murder of fourteen-year-old Mary Phagan. The factory superintendent's wife was with the prisoner when the message was delivered, and she collapsed.

More than an hour before Frank was notified, the jury's verdict of murder in the first degree was received with a demonstration by a crowd estimated at more than 2,000 persons, which had assembled outside the courthouse. All spectators were excluded from the courtroom before the verdict was announced. By agreement of counsel the prisoner was permitted to remain in his cell at the county jail. Only lawyers, court officials and newspaper men heard the verdict.

After listening to the presentation of evidence and argument of counsel for more than four weeks the jury retired at 12:47 o'clock this afternoon when Judge Roan concluded his charge. Shortly after 4 o'clock it was announced that a verdict had been reached, and it was nearly 5 o'clock before the jury returned to the courtroom.

**No Recommendations.** At 4:56 o'clock Foreman Winburne read the verdict, which contained no recommendations for clemency. As the news was flashed to the crowd outside there was loud cheering. Mounted policemen rode through the crowd in an effort to disperse it, but the demonstration continued unabated.

Solicitor Hugh Dorsey, who conducted the prosecution, was the first person to leave the courtroom. As he stepped into the hall he was thrust to the shoulders of several men and carried for more than 100 feet through the shouting throng.

On account of the demonstration, Judge Roan announced that he would not sentence the prisoner until tomorrow, and possibly later. The judge also was cheered when he left the courtroom.

Counsel for the defendant to-night announced that a motion for a new trial would be made immediately. Judge L. S. Roan's charge to the jury, delivered to-day immediately after he had overruled a motion of the defense for a mistrial, was terse and direct. With reference to "reasonable doubt," he said:

"You are not compelled to find from the evidence his guilt beyond any doubt, but beyond a reasonable doubt, such a doubt as grows out of the evidence or for the want of evidence, such a doubt as a reasonable and impartial man would entertain about matters of the highest importance to himself, and after all reasonable efforts to ascertain the truth. This doesn't mean a fanciful doubt, one conjured up by the jury."

**Question of Character.** During the trial much stress was placed by both sides on the question of Frank's character. Judge Roan charged the jury that while evidence of the defendant's good reputation previous to the death of Mary Phagan was to be considered possibly as creating a doubt of his guilt, such evidence would not suffice to clear him if in the opinion of the jury other testimony was sufficient to show that he had committed the crime charged against him.

The reading of the charge required about twenty minutes. Mary Phagan's body, bearing marks of violence, was found in the basement of the National Pencil Factory.

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## HOUSE IN LONDON RENTED BY PAGE

Ambassador Will Have Several American Citizens as His Neighbors.

[Special Cable to The Times-Dispatch.] London, August 25.—Ambassador Page announced to-day that he had rented No. 5 Grosvenor Square, where he will have as neighbors the Duchess of Manchester, Anthony Drexel, James B. Duke, who is occupying the home of Mrs. James Henry Smith for the season, and Lord Strathcona. J. P. Morgan, Jr., also rents a house there. In fact, from the number of American inhabitants, the locality has been nicknamed "New York Square."

Mr. Page said: "It's a splendid house with no frills, but is fit for an American gentleman, and even one might say, for an American ambassador." When asked the rent, he refused to answer. "As I am paying it," he said, "I think I ought to be excused from stating the amount."

The house is five stories, contains twenty bed and dressing-rooms, seven bathrooms, an exceedingly large hall and has a most pleasant outlook. One of the largest real estate agents told The Times-Dispatch correspondent to-day: "The normal rent for the house, which is the property of Colonel Grenville Smith, is \$15,000 yearly or \$125,000 for the season, the tenant paying all the city taxes, but as an ambassador is excused from paying about two-thirds of the assessments, I expect he is paying about \$12,000 yearly."

Ambassador Reid paid \$35,500 per annum for Dorchester House.

## ACTION BY CAUCUS IS TAKEN WITHOUT DISSENTING VOTE

Agricultural Amendment to Currency Bill Adopted.

## CONCURRED IN BY ADMINISTRATION

Puts Paper Based on Agricultural Products on Same Basis as Commercial Paper for Banking Purposes—Wilson Will Oppose Proposals of Chicago Bankers.

Washington, August 25.—An agricultural currency amendment to the administration currency bill was adopted by the House Democratic caucus to-day. After several preliminary skirmishes, in which other amendments were beaten, the caucus without a dissenting vote adopted an amendment, agreed to by the "insurgent" contingent and Banking and Currency Committee, to put paper based on agricultural products on the same basis as commercial paper for banking purposes.

The amendment, the result of many conferences and concurred in by administration leaders and those unsuccessfully seeking other amendments, reads: "Upon the indorsement of any member bank, any Federal reserve bank may discount notes and bills of exchange arising out of commercial transactions, that is, notes and bills of exchange issued or drawn for agricultural, industrial or commercial purposes, of the proceeds of which have used or may be used for such purpose, Federal Reserve Board to have the right to determine or define the character of the paper thus eligible for discount, within the meaning of this act. But such definition shall not include notes or bills issued or drawn for the purpose of carrying or trading in stocks, bonds or other investment securities, nor shall anything herein contained be construed to prohibit such notes and bills of exchange, secured by staple agricultural products or other goods, wares or merchandise from being eligible for such discount."

"Notes and bills admitted to discount under the terms of this paragraph must have all the maturity of not more than ninety days."

**Opposition Is Satisfied.** "We have won all we contended for" was the comment of Representative Neely, of Kansas, in charge of the opposition, after the vote.

"The Glass amendment," added Representative Henry, of Texas, "comes practically to the amendment I have advocated during the last three months."

"The redemptive section as thus amended," replied Chairman Glass, "does not comprehend a single one of the wild and absurd suggestions which has been proposed. Mr. Henry surrendered solely and simply because he was beaten. He jumped after the boat left the wharf."

During to-day's session the caucus defeated an amendment by Representative Wingo, of Arkansas, to exclude from redempting at Federal reserve banks notes or bills intended for dealing in futures or for marginal trading in agricultural products. Representative Gray, of Indiana, in the principal speech of the day ineffectually sought to divide the Federal reserve districts into four geographical divisions.

**Opposition by Wilson.** President Wilson does not regard objections raised by the Chicago conference of bankers as representing the view of the rank and file of bankers throughout the country. He indicated to-day to callers general opposition to the various proposals of the Chicago conference, though he has not examined them in detail.

"The President told callers he had received expressions of hearty support for the administration bill, not only from business men generally, but from the rank and file of bankers throughout the country, and would not compromise on its essential features. Late to-day the House caucus overwhelmingly voted down an amendment to abolish the advisory board of bankers, provision for which was incorporated in the administration bill to meet the criticism that the bankers were being ignored.

Secretary McAdoo to-night issued the following statement concerning his recent conference with George Reynolds, of Chicago, at New York: "My attention has been called to the following statement attributed to Mr. Reynolds: 'I spoke yesterday with Secretary McAdoo, in New York, and we talked of the bill and our objections to it, and he assured me that the administration desired to have all its power in remedying the defects of which we have complained.'"

"I do not believe Mr. Reynolds made this statement. What I said to him at our conference in New York was that any constructive suggestion or criticisms submitted by the bankers with reference to currency legislation would, I was sure, be carefully considered by the committees of Congress and the President. Any statement or inference that I have made any promise of any sort to bankers or any one else with respect to currency legislation is unfounded."

**JUMPS OFF BROOKLYN BRIDGE**

Motorman Leaps From Highest Point and Escapes With Slight Bruises.

New York, August 25.—Peter Kelly, a young motorman, jumped from the Brooklyn Bridge to-day at its highest point and escaped with a few slight bruises. On his way down Kelly turned over half a dozen times and struck the East River almost flat on his back. He floated a short distance until he was rescued. Kelly refused to tell why he made the jump.

The ambulance surgeon who, in ten minutes, pronounced him practically as good as ever, said Kelly had been drinking.

## CANADIAN LAWS MAY BE TESTED ON THAW'S BEHALF

Constitutionality of Immigration Statute Questioned.

## EXISTING TREATY WILL PLAY PART

Hint of Next Move by William A. Stone, Chief Counsel for Escaped Matteawan Inmate, Gives New York Attorneys Much Concern—Jerome Arrives at Sherbrooke.

[Special to The Times-Dispatch.] Sherbrooke, Que., August 25.—"The snow will lie thick on the ground before Harry Thaw leaves Canada," predicted William A. Stone, former Governor of Pennsylvania, Thaw's leading attorney, to-day. Mr. Stone hinted that a test of the constitutionality of the Canadian immigration laws will be made on behalf of Thaw, and that the treaty between the United States and Canada will play a large part in this.

"Under the immigration laws, a Canadian subject can appeal to the courts if he is held as one who has entered Canada by stealth," explained Thaw's attorney. "An American citizen, however, is allowed no such appeal. This, despite the fact that the United States treaty with Canada guarantees the same treatment and the same rights to American citizens as to British subjects."

To make a test of the constitutionality of the immigration laws of Canada, it would be necessary for Thaw to appeal to the State Department at Washington, which, in turn, would request the British government to appeal to the Dominion Parliament. For this reason it was learned to-day Thaw had been amassing a large part of his forces in Washington.

**Caucus Much Concern.** Attorneys for New York State received Governor Stone's statement with much concern. District Attorney Conner, of Dutchess County, and Franklin Kennedy, deputy attorney-general of New York State, had hoped to have Thaw in Vermont by the end of next week. Coming from the source it did, they could not hold Mr. Stone's statement lightly.

William Travers Jerome, whom Thaw regards as his most implacable foe, got in by motor this afternoon and received with amusement sensational reports that the band of strong-arm men are lying in wait at Horton's Mills, across the Vermont border, to kidnap Thaw.

These rumors, together with stories of fabulous bribes that have been offered for various officials, have been about for days.

"I can't see what this desperate band of men who are waiting at the 'old mill' could gain by kidnapping Thaw," laughed Jerome.

"I am sure neither side wants to see him out of the Sherbrooke jail for the present."

Mr. Jerome was accompanied by John Langan, a New York detective. Jerome seemed to have all the maturity of a young man, and his presence seemed to exert a powerful psychological effect upon the little group of men who are fighting to put Thaw back in Matteawan.

"The question seems a very simple one," said Mr. Jerome. "It seems to me entirely up to the Governor of Vermont or New Hampshire, to one of the States I am told Thaw will be deported."

"We shall simply establish Thaw's identity, state that a crime has been committed, and demand extradition. The other side of the picture is that no crime has been committed, and the other side will submit briefs to the Governor, who will decide."

"I do not apprehend a great deal of difficulty in getting this man back to Matteawan."

In his cell Thaw received word of Jerome's coming without a tremor. "I am rather glad Willie's here," he remarked. "It adds to the fun."

Thaw was very much interested in former Governor Stone's statement, and indicated that a test be made of the constitutionality of the laws.

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## TO HEAR CHARGES AGAINST SPEER

House Judiciary Committee Agrees Unanimously Upon Thorough Investigation.

Washington, August 25.—Thorough investigation of the official conduct of United States District Judge Emory Speer, of the Southern District of Georgia, to determine whether he has been guilty of any impeachable misbehavior, was agreed upon unanimously to-day by the House Judiciary Committee.

To-morrow Chairman Clayton will introduce a resolution asking the House to empower the committee to investigate the conduct of Judge Speer, and to compel the attendance of witnesses, and the committee will report to the House its conclusions and recommendations. Such a course, unanimously agreed upon by the committee, follows precedents in the impeachment cases of Swayne, Handford, Archibald and others.

The investigation probably will be made chiefly through a subcommittee. Witnesses to be summoned will be determined upon later.

Judge Speer already has asked the committee to allow him to be present at the hearings, and requested that, if possible, he might appear after a time when he is subject to less fever. Judge Speer said his physician advised him that it would be dangerous for him to come to Washington before. The committee, in all probability, will accede to this request.

Judge Speer has acquiesced in the committee with the line of his defense, denying the charges and attacking their authority. Many attorneys in Georgia

## Pittsburgh Lawyers in Charge of Thaw Case

Democratic Leaders Predict Early Passage of Measure in Senate.

## LIVELY SECTIONAL DEBATE

Relative Conditions in New England and Southern Cotton Mills Discussed.

Washington, August 25.—Ratification of the free list in the tariff bill, with reservation of a few commodities for later consideration, agreement by Democrats of the Finance Committee to consider an amendment by Senator Kenyon, which would automatically transfer trust-controlled articles to the free list; discussion of free print paper and the paper schedule and a lively debate on Southern and New England cotton mills, culminated the tariff debate in the Senate to-day. So rapid was the progress in consideration of the free list that Democratic leaders were led to predict an early passage of the bill, some insisting it would be ready for a vote by the middle of next week.

In the midst of this progress, however, were injected several set speeches, which precipitated a long colloquy between Senators Lippitt, of Rhode Island, and Smith, of South Carolina, over relative conditions in New England and Southern cotton mills. This occupied several hours and left the schedules considerably behind for the day.

Free meat, cattle, sheep, swine and wheat were passed over at the request of Senator McCumber, of North Dakota. Assailed Foreign Labor.

Senator Smith, of South Carolina, assailing the foreign labor in New England cotton mills and the wages paid, provoked a sectional debate, Senator Lippitt retorting with a description of the child labor in the South and a comparison of wages, showing that the Southern wages to be lower than those paid in New England cotton mills.

The paper schedule was agreed to as amended by the Finance Committee, with the exception of the paragraph on wrapping paper, which was passed over at the suggestion of Senator Hughes, in charge of the schedule.

The sundries schedule was taken up, and the paragraph on brooms, brushes and buttons agreed to. Senator Bristow protested that the reduced duties on brooms was another discrimination against products in which farmers were interested. Senator Cummins protested against the reduced duties on the cheaper grades of brooms, claiming that the rates proposed would put the Iowa manufacturers out of business.

During the afternoon Senator Ashurst delivered a general defense of the bill, comparing it with other tariff measures of the past. He denied that it was a studied discrimination against the farming class.

An amendment to the foreign meat inspection clause was proposed to the Finance Committee to-day by the Bureau of Animal Industry, which suggested the original clause providing that an inspection of foreign meat equal to the inspection of American meat should be "sufficient." The amendment is designed to clarify the clause by providing that such foreign inspection shall enjoy the same rights and privileges as accorded American meat inspected under the inspection law of 1906.

**STRIKE NOT SETTLED**

Both Sides Refuse to Submit Different Terms of Peace.

[Special to The Times-Dispatch.] Framingham, Mo., August 25.—The State Board of Mediation and Arbitration to-day abandoned all hope of settling the lead strike in southeastern Missouri, as representatives of the Western Federation of Miners and the mine owners at a public hearing to-day refused to submit terms of peace different from those already rejected.

## THREE LEADERS IN CONSPIRACY TO OUST SULZER

Indictment of Murphy, Levy and Frawley Requested on These Grounds.

New York, August 25.—The indictment of Charles F. Murphy, leader of Tammany Hall; Aaron J. Levy, leader of the Democratic majority in the Assembly, and Senator James J. Frawley, chairman of the committee which investigated Governor Sulzer's campaign contributions, was requested of the district attorney by New York and Albany counties to-day by John J. Arnold, of Albany, a supporter of Governor Sulzer.

The indictments of the three leaders is asked on statements of many persons presented by Judge Arnold to the district attorney, regarding an alleged conspiracy to put Sulzer out of the governor's chair. In so announcing the indictments, Judge Arnold repeated his declaration that money had been freely used to accomplish this result.

Judge Arnold, who is the publisher of the Knickerbocker Press, of Albany, said to-day: "My newspaper has been friendly to Sulzer in this fight because we thought he was not getting a square deal. Because of this friendliness, many persons have written to us and called at our office to tell us what they knew."

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## MULHALL INVITES LAWYER "OUT"

Threatens to Throw Glass at Head of Attorney for Representative McDermott.

[Special to The Times-Dispatch.] Washington, August 25.—With constant wrangling between Colonel M. M. Mulhall, former lobbyist, and James E. Smith, attorney for Representative McDermott, of Illinois, the investigation by the House lobby inquiry committee proceeded to-day.

Mulhall once passed the lie to the McDermott attorney, threatened to throw a glass at his head, and gave other evidence of a ruffled temper. When the attorney intimated that Mulhall had rendered a false expense account to his association in connection with stenographers' hire, the witness lately said: "That's a dirty insinuation, and you have made two or three of them to-day. If this committee will not protect me, I'll throw a glass at your head and protect myself."

Chairman Garret ordered the entire colloquy stricken from the record. On another occasion Mulhall invited the McDermott lawyer to "go outside" the committee room. Mulhall said the attorney asked him "if he had any code of morals." Early Smith was called a "liar" by the witness when he said that Mulhall had returned from the McDermott campaign in 1912 ten days earlier than the witness claimed.

The cross-examination disclosed several discrepancies in Mulhall's story, which Mulhall attributed to "lapse of memory."

His examination before the Senate committee, he said, had been hard, and he was tired.

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## PRESIDENT WILL DEFINE POLICY OF UNITED STATES TOWARD MEXICO

Message on Situation to Be Read by Chief Executive at Capitol To-Day.

## PAPER IS HEARD BY COMMITTEES OF BOTH HOUSES

Members Invited to White House Conference, Where, After Free Discussion and Comment, Practically Unanimous Approval Is Given to Decision Reached by Administration as to Future Course of Government—Lind Will Leave Mexico City To-Day, and Any Further Proposals Will Be Received by United States Through Charge O'Shaughnessy.

Mexico City, August 25.—President Wilson's personal representative, John Lind, will leave the Mexican capital to-morrow, proceeding to Vera Cruz. Mr. Lind called on Foreign Minister Gamboa to-day to say good-by, and this was nothing in their conversation regarding the suspension of negotiations or to indicate that Mexico would recede from her position.

Lind will sail from Vera Cruz at an early date, presumably on a battleship. It is expected that William Bayard Hale, who has been in Mexico City, in an official capacity, will accompany Mr. Lind or leave soon afterward.

Rumors persist that General Trevino, who has been summoned to the capital, will become Provisional President, but confirmation is lacking, and this report is offset by another that General Huerta has called in most of the retired officers and many of those on detached service to report for duty.

Japan, as special Mexican ambassador, also is said to have received a summons to return to the capital.

Washington, August 25.—President Wilson will read his message on the Mexican situation at the Capitol to-morrow. This was decided at midnight, following the receipt of a message from John Lind, personal representative of President Wilson in Mexico, that he had said good-by to Foreign Minister Gamboa, and would leave Mexico City to-morrow. Negotiations, so far as Mr. Lind is concerned, have been terminated.

The United States will receive any further proposals through Charge d'Affaires O'Shaughnessy, of the American embassy. The policy of the United States was outlined to the members of the congressional committees of Foreign Relations to-day at a conference at the White House by President Wilson and Secretary Bryan. The President's message received practically unanimous approval. The future course of this government will be one of noninterference, in the hope that the effect of its present efforts and the pressure of foreign governments will constitute a moral sanction that ultimately will bring about peace in Mexico.

The message makes it plain that there will be no lifting of the embargo on arms, that no faction or government in Mexico will be allowed to receive munitions of war from the United States. The President's message proposes to increase the American border patrol to enforce this policy.

Read to Committees. President Wilson read to-night to the members of the Senate Committee on Foreign Affairs, the House Committee on Foreign Affairs, Republicans as well as Democrats, the message on the Mexican situation, which he will deliver in person to-morrow to a joint session of both houses of Congress.

It is a message of friendship, not hostility, and precedes a policy of absolute noninterference. It proclaims to the world the sympathetic feeling that the United States government and the American people have for their neighbors in the rebellion-torn republic south of the Rio Grande. It records the views of the United States on constitutional government; its unalterable opposition to governments set up by the irregular and arbitrary acts of ambitious individuals, and formally announces that the government of Victoriano Huerta shall not be recognized.

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